

IN RE: PETITION FOR ADMINISTRATIVE \* BEFORE THE  
ZONING VARIANCE  
NE/S Rita Road, 863 ft. South of \* ZONING COMMISSIONER  
the c/l Birch Street  
1725 Rita Road \* OF BALTIMORE COUNTY  
12th Election District  
7th Councilmanic District \* Case No. 97-471-A  
James Michael Jordan, Petitioner  
\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by James Michael Jordan for that property known as 1825 Rita Road in the Dundalk section of eastern Baltimore County. The Petitioner herein seeks a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (BCZR) to allow a detached garage with a height of 20 ft., in lieu of the permitted 15 ft.; and a side yard setback of 2 ft., in lieu of 2.5 ft. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

ORDER RECEIVED FOR FILING

Date

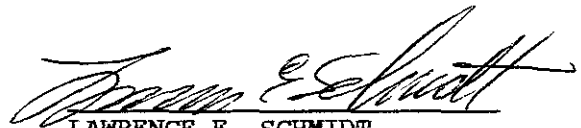
By

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of May 1997 that the Petition for a Zoning Variance from Section 400.1 and 400.3 of the Baltimore County Zoning Regulations (BCZR) to allow a detached garage with a height of 20 ft., in lieu of the permitted 15 ft., and a side yard setback of 2 ft., in lieu of 2.5 ft. be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

  
LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

LES:mmm



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

May 22, 1997

Mr. James Michael Jordan  
1725 Rita Road  
Baltimore, Maryland 21222

RE: Petition for Administrative Variance  
Case No. 97-471-A  
Property: 1725 Rita Road

Dear Mr. Jordan:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".  
Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
encl.





# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 1725 RITA ROAD

97-471-A

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Section No. 400.1 + 400.3 to permit a 2' rear setback and a 20' height in lieu of 2 1/2' and 15'; respectively; for a garage.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

400.3

WANT TO EXCEED 15' FEET HEIGHT LIMIT.  
TO 20 FEET HEIGHT - see other side

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

GAMES MICHAEL JORDAN  
(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City State Zipcode

Signature

Attorney for Petitioner:

1725 RITA ROAD 284-7957  
Address Phone No.

(Type or Print Name)

Balto Md. 21222  
City State Zipcode

Signature

Name, Address and phone number of representative to be contacted.

Address Phone No.

Name

City State Zipcode

Address Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County



REVIEWED BY: mta DATE: 4/23/97



Printed with Soybean Ink  
on Recycled Paper

ITEM #: 471

ESTIMATED POSTING DATE: 5/4/97

# Affidavit in support of 97-471-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:


That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1725 RITA ROAD  
address  
Balto Md 21222  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

WANT TO INSTALL 10' FOOT GARAGE DOORS  
NEED TO EXCEED 15 FOOT HEIGHT LIMIT TO RIDGE  
BEAM. need more storage space keep as much grass  
in back yard

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

James Michael Jordan   
(signature) (signature)  
JAMES MICHAEL JORDAN  
(type or print name) (type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22 day of April, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JAMES MICHAEL JORDAN

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4/22/97  
date

Deborah R. Allen  
NOTARY PUBLIC

My Commission Expires:

DEBORAH L. ALLEN  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 16, 1998

# **ZONING DESCRIPTION**

**97-471-A**

Zoning Description for 1725 Rita Road, beginning at a South East corner of the property at the distance of 863 feet south to the centerline of the nearest intersecting street (Birch Street) the property is 50 feet wide and 143 feet long.

Being lot #3 in Section A in the subdivision of Norwood Park as recorded in Baltimore County Plat Book CWB, Jr. #12 Folio #76 containing 7,138 square feet, description of 1725 Rita Road located in the 12 Election District.

# 471

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. **97.471** **038809**

DATE 4/23/97 ACCOUNT 01-615

Item. 471  
By. mtk AMOUNT \$ 50.00

RECEIVED FROM: James Jordan - 1725 R. L. Rd.

FOR: 610- Res Varience - \$ 50.00

03APR97 02:52MT DHRC \$50.00  
BA COLO:09AM 04-23-97

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

**CERTIFICATE OF POSTING**

RE: Case # 97-471-A

Petitioner/Developer:  
(Mark Jordan)  
Date of ~~Hearing~~/Closing:  
(May 19, 1997)

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at \_\_\_\_\_

\_\_\_\_\_ 1725 Rita Road Baltimore, Maryland 21222 \_\_\_\_\_

The sign(s) were posted on \_\_\_\_\_ May 2, 1997 \_\_\_\_\_  
(Month, Day, Year)

Sincerely,

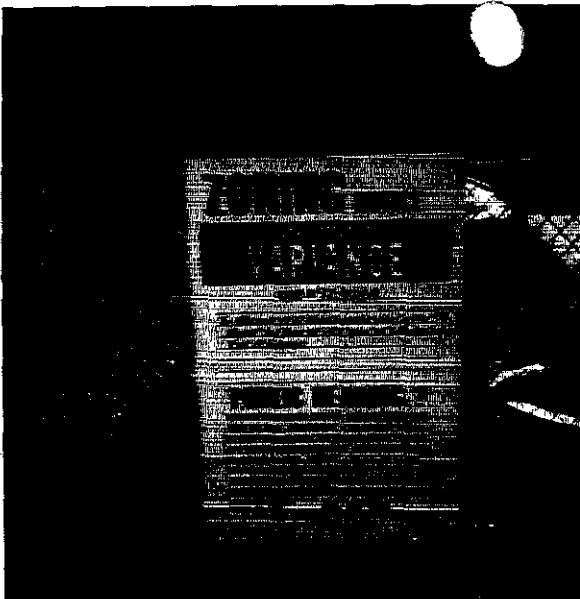
  
(Signature of Sign Poster & Date)

\_\_\_\_\_ Thomas P. Ogle, Sr. \_\_\_\_\_  
(Printed Name)

\_\_\_\_\_ 325 Nicholson Road \_\_\_\_\_  
(Address)

\_\_\_\_\_ Baltimore, Maryland 21221 \_\_\_\_\_

\_\_\_\_\_ (410)-687-8485 \_\_\_\_\_  
(Telephone Number)



97-471-A



Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than \* 5/4/97.

Format for Sign Printing, Black Letters on a White Background:

**ZONING NOTICE****ADMINISTRATIVE  
VARIANCE****Case No.:** 97-471

to permit a 2' rear setback and a 20' height  
in lieu of 2.5' and 15', respectively, for a garage

**PUBLIC HEARING ?**

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,  
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING  
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS  
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

\*

5/19/97

**ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,  
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391**

**DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW****HANDICAPPED ACCESSIBLE**

## **ABOUT YOUR ADMINISTRATIVE VARIANCE**

Case Number: 97-471-A

1725 Rita Road

NE/S Rita Road, 863' S of centerline Birch Street

Legal Owner(s): James Michael Jordan

Post by Date: May 12, 1997

Closing Date: May 27, 1997

Contact made with this office regarding the status of this case should reference the case number and be directed to 410-887-3391. This notice serves as a refresher regarding the administrative process.

1. The zoning notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
2. The "Closing Date" noted above is the deadline for a neighbor to file a formal request for a public hearing.
3. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He may: (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification (typically with 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
4. In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time, and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.



Arnold Jablon, Director

scj

c: James Michael Jordan



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 471

Petitioner: James Michael Jordan

Location: 1725 Rita Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: James Michael Jordan

ADDRESS: 1725 Rita Rd

Balt. MD. 21222

PHONE NUMBER: (410) 284-7957

AJ:ggs

(Revised 04/09/93)



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

May 20, 1997

Mr. James Michael Jordan  
1725 Rita Road  
Baltimore, MD 21222

RE: Item No.: 471  
Case No.: 97-471-A  
Petitioner: James Michael Jordan

Dear Mr. Jordan:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 23, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive style with a large, stylized "J" at the end.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)



BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 5/12/97

FROM: R. Bruce Seeley - RBS/GR  
Permits and Development Review  
DEPRM

SUBJECT: Zoning Advisory Committee  
Meeting Date: May 5, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	463	486
	464	481
	<u>471</u>	482
	472	
	473	483
	474	485
	475	487
	476	
	478	

RBS:sp

BRUCE2/DEPRM/TXTSBP

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

May 8, 1997

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 5, 1997

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

- B. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

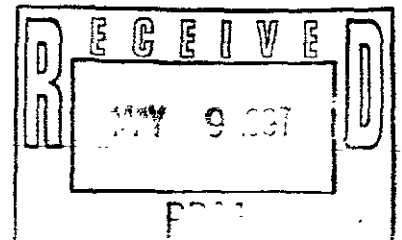
463, 471, 473, 474, 475, 476, 477, 478, 479, 480, 482,

483, 484, and 487.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits  
and Development Management

Date: May 7, 1997

FROM: Arnold F. "Pat" Keller, III, Director  
Office of Planning

SUBJECT: 1725 Rita Road

INFORMATION

Item Number: ~~██████~~ 471

Petitioner: Jordan Property

Zoning: DR 5.5

Requested Action: Administrative Variance

Summary of Recommendations:

Use of the garage should be limited to storage purposes only should the applicant's request be granted.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kern

AFK/JL



**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary

Parker F. Williams  
Administrator

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County 56-97  
Item No. 471 MJK

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for

Ronald Burns, Chief  
Engineering Access Permits  
Division

LG

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

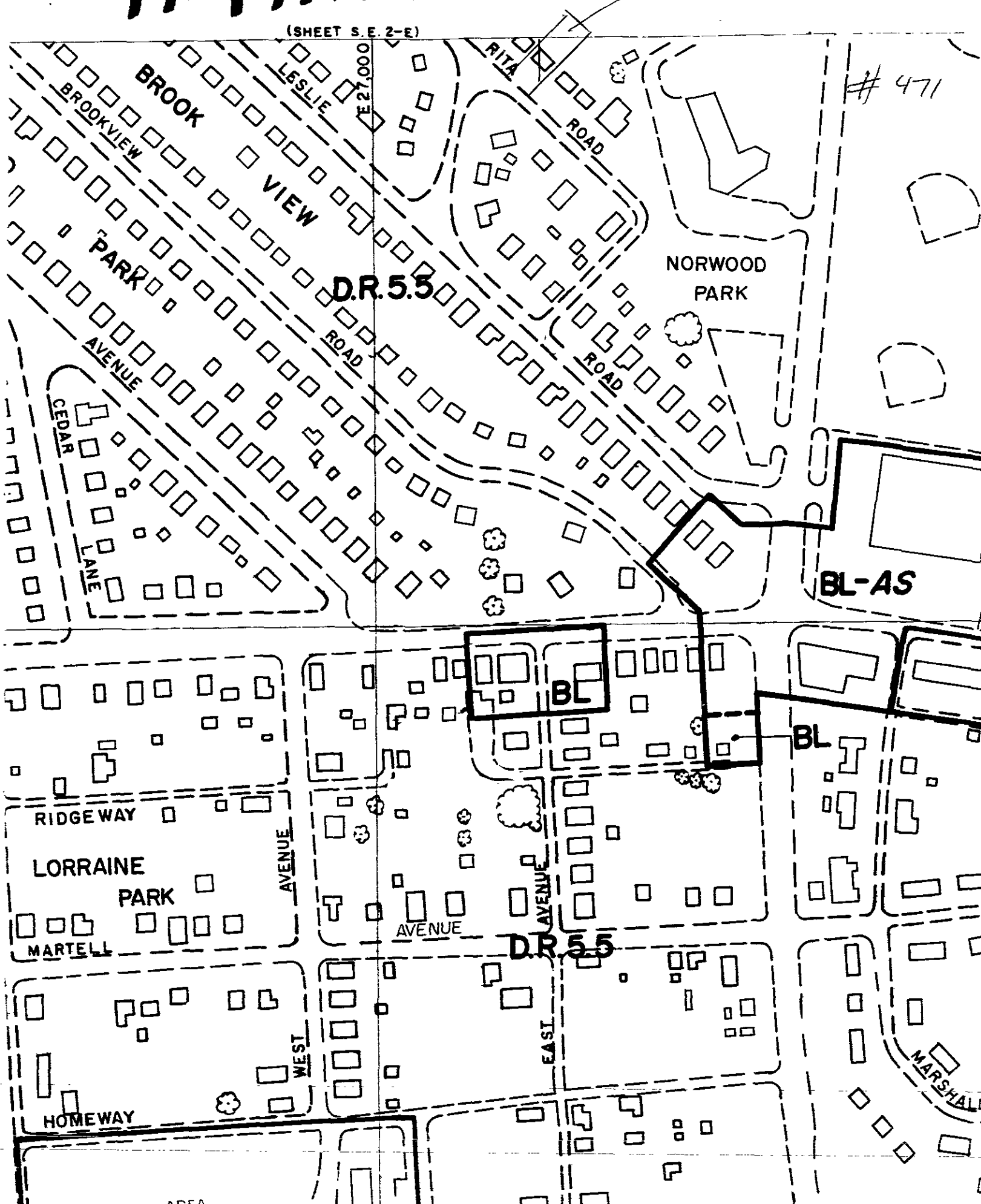


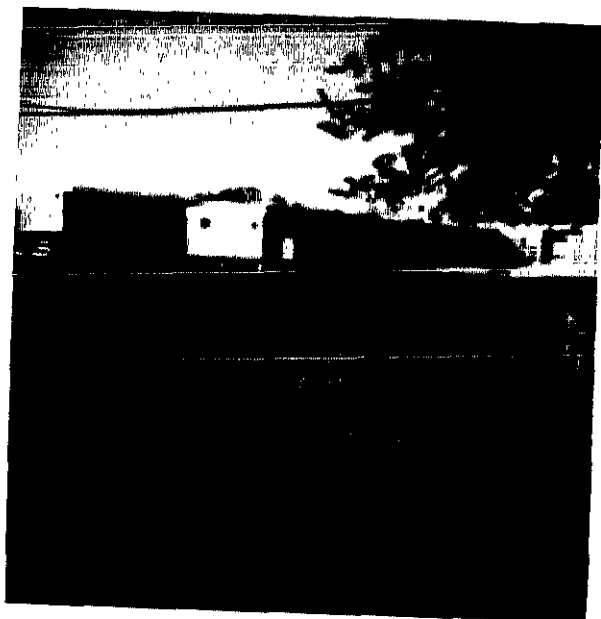
97-471A

● SITE SE 3E

(SHEET S.E. 2-E)

# 471





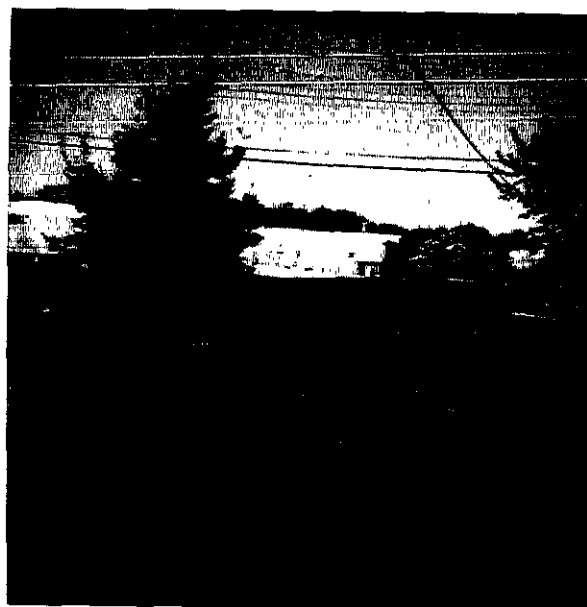
97-471-A



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97-471-A



**97-471-A**

Plat to accompany Petition for Zoning

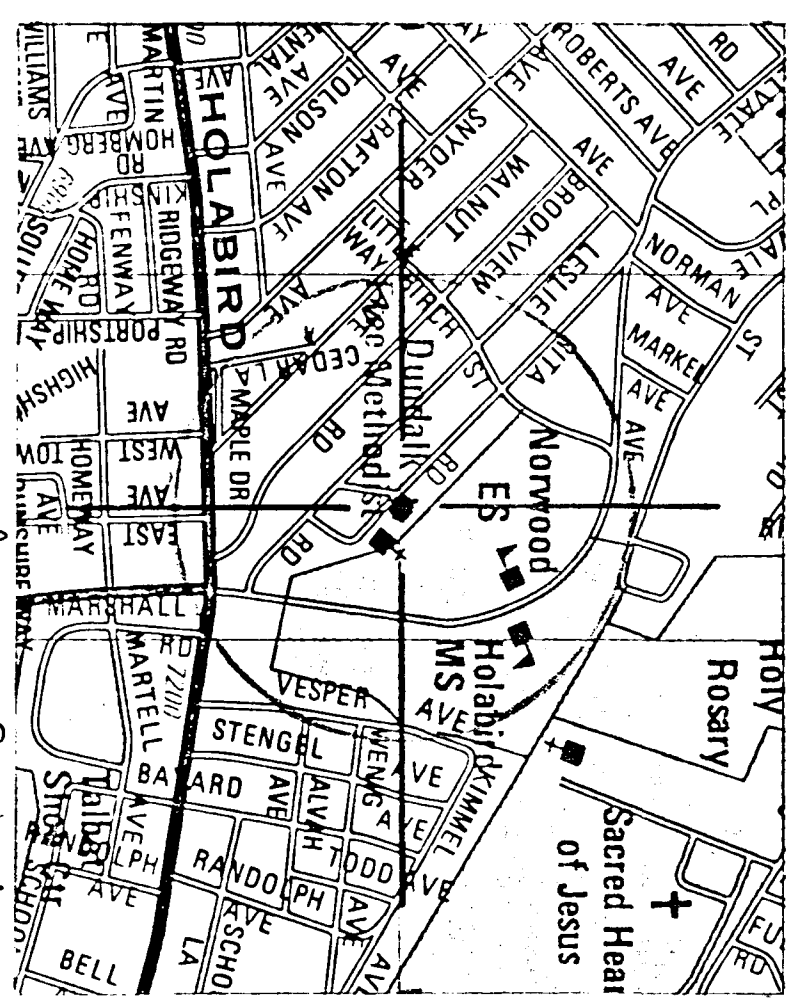
☒ Variance ☐ Special Hearing

PROPERTY ADDRESS : 1725 Rita Rd.

Subdivision Name : Norwood Park

plat book-Liber C.W.B., Jr. No. 12, folio # 76 ; lot # 3 ; section A.  
OWNER: James M. Jordan Acct. No. 0011890729

Norwood Elementary  
School  
Property



Vicinity Map North Scale: 1" = 1000'

LOCATION INFORMATION

1725 Rita Road  
Elev. District : 12  
Norwood Park

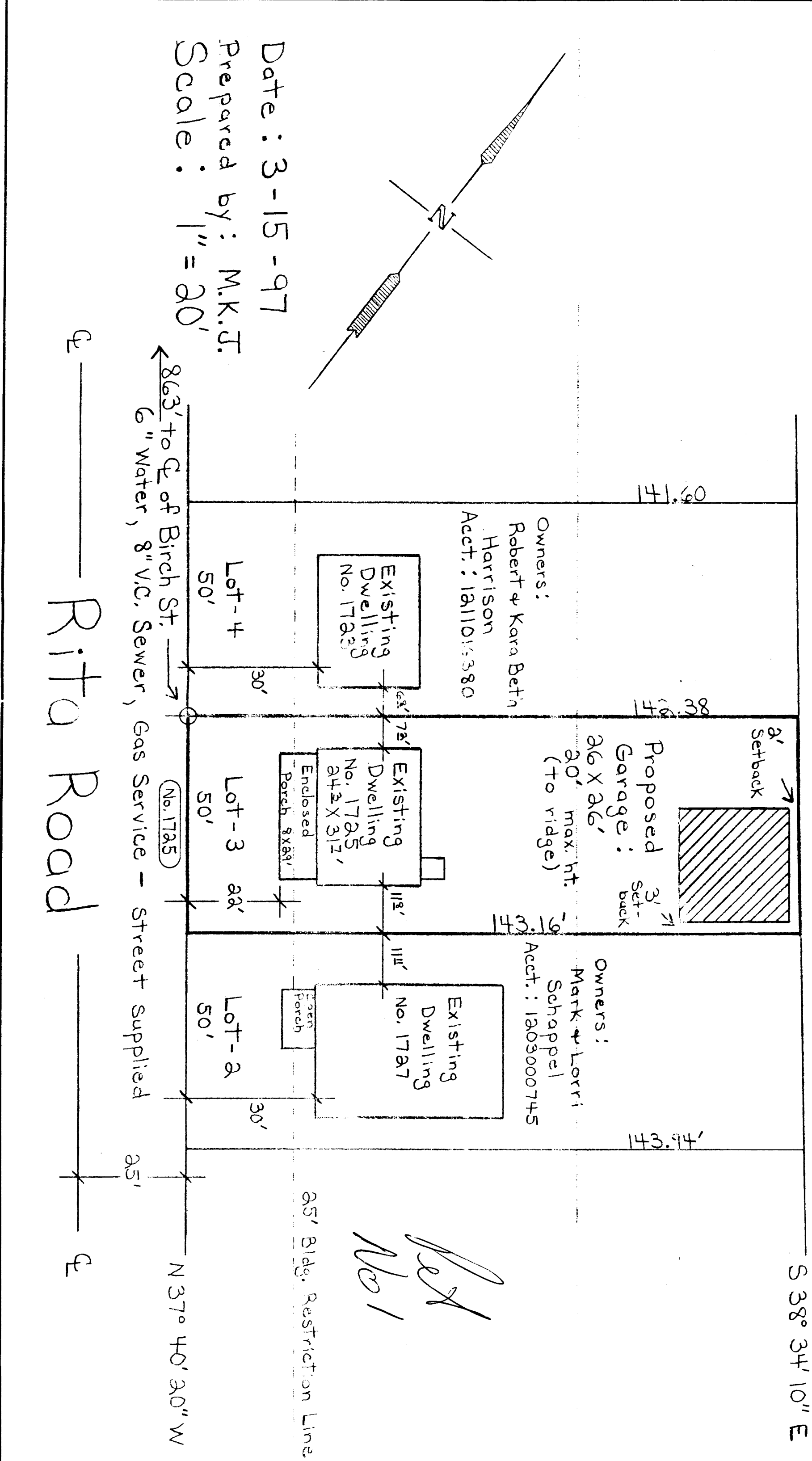
map: 103, grid: 4, parcel 538  
Sect: A, lot 3, group 8a  
plat ref: 12/76  
property land area: 7,138.5 S.F.  
acreage: .16

Zoning: Residential ~~RS-5~~  
prior zoning hearings: None  
100 year flood plain: No  
Chesapeake Bay Critical Area: No  
water & sewer: public

**97-471-A**

Zoning Office Use Only!  
General Ev. Item #: Case #:

MTK 471



Date : 3-15-97  
Prepared by : M.K.J.  
Scale : 1" = 20'